

Idaho Department of Education

May 2-6, 2005

Scope of Review: A team from the U.S. Department of Education's (ED) Office of English Language Acquisition, Formula Grant Division reviewed the **Idaho** Department of Education (CDE) the week of May 2-6, 2005. This was a comprehensive review of CDE's administration of the following program authorized by the No Child Left Behind Act (NCLB): Title III, Part A.

In conducting this comprehensive review, the ED team carried out a number of major activities. In its review of the Title III, Part A program, the ED team analyzed evidence of implementation of the State accountability system, reviewed the effectiveness of the language instruction educational programs and professional development processes established by the State to benefit local educational agencies (LEAs) as well as district level professional development implementation and reviewed compliance with fiscal and administrative oversight activities required of the State educational agency (SEA). During the onsite review, the ED team visited 2 LEAs: **Nampa** and **Boise** School Districts. In each of the school districts, the ED team interviewed administrative staff and teaching staff from the schools and the districts. The ED team also conducted a meeting with parents in the **Nampa** School District.

Idaho Department of Education and Idaho State Board of Education participants: Wendy Verity (Title III Program Manager); Gary Stivers (OSBE Executive Director); Marilyn Davis (Chief Academic Officer); Sandra DeKlotz (Federal Programs Manager); Christine Ivie (Elementary and Secondary Academic Officer); Marybeth Flachbart (Bureau Chief, Special Populations Services Bureau); Carissa Miller (OSBE Assessment and Accountability Manager); Jeff Shinn (Chief Fiscal Officer); Sheri Wakagawa (Budget Analyst) and Dan Hammel (Senior Financial Specialist).

US Department of Education participants: Dr. Marilyn Rahilly (Education Program Specialist); Ms. Elizabeth Bailey (Education Program Specialist)

Previous Audit Findings: None

Previous Monitoring Findings: None. This was the first Title III monitoring visit.

Summary of Title III, Part A Monitoring Indicators

Title III, Part A: Submission Indicators			
Element Number	Critical element	Status	Page
Element 1.1	State Submissions: Follow-up on areas identified through desk audit and document reviews.	Reviewed: No further action required at this time; Commendation	6
Title III, Part A: Fiduciary Indicators			
Element 2.3	Reservation of funds: The SEA has a system in place that enables it to account for: (1) funds reserved for State administration, (2) funds reserved to provide technical assistance and other State level activities (3) the reservation of funds for immigrant activities, and (4) funds that become available for reallocation.	Reviewed: No further action required at this time	6
Element 2.4	Supplement Not Supplant: The SEA ensures that Title III funds are used only to supplement or increase non-Federal sources used for the education of participating children and not to supplant funds from non-Federal sources.	Reviewed: No further action required at this time	6
Element 2.5	Equipment and Real Property: The SEA ensures that equipment and real property are procured at a reasonable cost and are necessary for the performance of the Federal award. Title III funds cannot be used to acquire real property.	Reviewed: No further action required at this time	6-7

Title III, Part A: ELP Standards, Assessments and Accountability Indicators			
Element Number	Critical element	Status	Page
Element 3.1	English language proficiency Standards: State English language proficiency standards have been developed, adopted, disseminated, and implemented	Finding: Further action required; Recommendation	7
Element 3.2	ELP Assessments: ELP assessments have been administered to all LEP students in the State in grades K-12. Accountability through data collection has been implemented.	Findings: Further action required	7
Element 3.3	Data Collection; The State established and implemented clear criteria for the administration, scoring, analysis, and reporting components of its ELP assessments, and does the State have a system for monitoring and improving the on-going quality of its assessment systems	Reviewed: No further action required at this time	8
Element 3.4	New English language proficiency Assessment: Transition to new ELP assessment or revising the current State ELP assessment	Reviewed: No further action required at this time; Recommendation	8
Element 3.5	Annual Measurable Achievement Objectives (AMAOs): AMAOs have been developed and AMAO determinations have been made for Title III-served LEAs	Finding: Further action required	8-9
Element 3.6	Data system in place to meet all Title III data requirements including capacity to follow Title III served students for two years after exiting; State approach to follow ELP progress and attainment over time, using cohort model	Finding: Further action required	9

Title III, Part A: State Level Activities; LEA Authorized and Required Activities, Immigrant Children and Youth Indicators			
Element Number	Description	Status	Page
Element 4.1	<p>State Level Activities</p> <p>Based on funds reserved for State-level activities that the State carries out. One or more of these activities may include:</p> <ul style="list-style-type: none"> • Professional development • Planning, evaluation, administration and interagency coordination • Promote parental and community participation • Provide recognition 	Reviewed: No further action required at this time; Recommendation	9
Element 4.2	<p>Required Sub grantee Activities</p> <p>The LEA/Sub grantee is responsible to increase the English proficiency of LEP students by providing high quality language instructional programs and to provide high-quality professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instructional programs), principals, administrators, and other school or CBO personnel</p>	Reviewed: No further action required at this time	9
Element 4.3	<p>Authorized Sub grantee Activities</p> <p>The LEA may use the funds by undertaking one or more authorized activities</p>	Reviewed: No further action required at this time; Commendation (LEA)	10
Element 4.4	<p>Activities by Agencies experiencing substantial increases in immigrant children and youth</p> <p>The sub grantee receiving funds under section 3114 (d) (1) shall use the funds to pay for activities that provide enhanced instructional opportunities for immigrant children and youth</p>	Reviewed: No further action required at this time	10

Title III, Part A: State Review of Local Plans			
Element Number	Critical element	Status	Page
Element 5.1	SEA ensures that its LEAs comply with the provision for submitting an annual application to the SEA (Section 3116 (a))	Reviewed: No further action required at this time; Commendation	10
Element 5.2	Private School Participation: LEAs are complying with NCLB requirements regarding participation of LEP students and teachers in private schools under Title III	Reviewed: No further Action required at this time.	10
Element 5.3	Teacher English fluency: Certification of teacher fluency requirement in English and any other language used for instruction (Section 3116 (c))	Reviewed: No further action required at this time, Recommendation	11
Title III, Part A: State Monitoring of Sub grantees			
Element 6.1	Monitoring The SEA conducts monitoring of its sub grantees sufficient to ensure compliance with Title III program requirements	Finding: Further action required	11
Element 6.2	Consortia: Any governance issues in the State; policy of fiscal agents	Reviewed: No further action required at this time	11
Title III, Part A: Parental Notification			
Element 7.1	Parental Notification: Provisions for identification and placement and for not meeting the AMAOs; notification in an understandable format (Section 3302)	Finding: Further action required	11-12

Title III, Part A State Submission Indicators

Element 1.1- State Submissions

Reviewed. The Idaho State Department of Education has submitted all reports required under Title III, Part A, and the Consolidated State Application to the US Department of Education. All reports were submitted in a timely manner. Addendums were reviewed and found to be complete. The Title III Director has responded very responsibly to any requests for additional information or clarification from ED.

Citation: Section 3123; 34 CFR 80.40

Commendation: Reports were well written, comprehensive and submitted in a timely manner.

Title III, Part A Fiduciary Indicators

Element 2.3 – Reservation of funds

Reviewed. The State has a functioning system in place that enables it to account for funds reserved for State administration, technical assistance and other State level activities, reservation and reallocation of funds for immigrant activities. The State provided adequate evidence for expenditures for State administration, funds for technical assistance, funds for immigrant children and youth and other allowable expenditures under Title III.

Citation: Sections 3111 and 3114.

Element 2.4 – Supplement Not Supplant

Reviewed. The State indicated that it has informed LEAs that they must provide educational services to Title III-served LEP students. The SEA provided evidence to the ED team in its monitoring documents that Title III funds are used only to supplement, not to supplant.

Citation: Section 3115(g).

Element 2.5 – Equipment and Real Property

Reviewed. The State described its processes for ensuring that equipment obtained with grant funds is necessary for the performance of the federally funded activities under Title III and is procured at a cost that is reasonable. These processes appear to be well managed and accountability is in place. Title III funds cannot be used to acquire Real Property.

Citation: OMB A-87; EDGAR 76.533, 80.32

Title III, Part A
ELP Standards, Assessments, and Accountability Indicators

Element 3.1 - ELP Standards

Finding: The Dept of Education monitoring team reviewed Idaho's English Language Proficiency Standards (ELP) during the on-site visit. These ELP standards were found to be satisfactory under the current State academic requirements for LEP students. However, as the State is currently using 4 different ELP assessments, the State's ELP standards are not adequately linked/aligned to these tests. The State is developing a single ELP assessment, under the direction of the Mountain West Assessment Consortium, to be implemented in Spring 2006. Subsequently, ELP standards will need to be revised and aligned with this new ELP assessment and linked with the State content assessment.

Citation: Section 3113(b)(2)

Further Action Required: The State must revise the current ELP standards so that they are more closely aligned with the new ELP assessment and linked with State content standards.

Recommendation: In reviewing the ELP standards, the State may want to add grade levels/grade spans to the existing standards.

Element 3.2 - ELP Assessments

Finding 1: Irregularities were found in the LEA testing schedule using ELP assessments. Some migrant students are not tested due to their absence on test administration days.

Citation: Section 3113(b)(2) and (b)(3)(D)

Further Action 1 Required: All LEP students must be tested annually for English language proficiency. LEAs must establish a regular testing schedule which allows all LEP students to be tested.

Finding 2: Idaho is currently using four different ELP assessments. Because of multiple ELP assessments, it is difficult for the State to accurately assess and track the English language proficiency achievement for LEP students. This also has contributed to the State's difficulty in determining Annual Measurable Achievement Objectives (AMAOs).

Citation: Section 3113(b)(2) and 3122

Further Action 2 Required: The State must determine a more efficient system of ELP assessment, preferably administering only one ELP test Statewide that is aligned with ELP standards. As a result, ELP and AMAO achievement will be enhanced and tracking

of LEP students' proficiency improved. After the new ELP assessment is implemented, cut scores for levels of English language proficiency must be reported to the US Dept of Education.

Element 3.3 – Data Collection (Reporting components of ELP assessments)

Reviewed. The State has established and implemented criteria for the administration, security, analysis and scoring of their multiple ELP assessments. The State has communicated to the LEAs concerning the assessment processes and requirements under Title III.

Citation: Section 1111(b)(7); Section 3113(b)(3)(D)

Element 3.4 – Transition to new ELP assessment

Reviewed. Idaho is in the process of developing and implementing a Statewide ELP assessment in Spring 2006 under the direction of the Mountain West Assessment Consortia (MWAC). This single ELP test will replace the multiple assessments currently being used by LEAs throughout the State to determine English language proficiency. The State has expressed comparability concerns in the relationship between the old ELP assessments and the new ELP assessment that will be in place 2006.

Citation: Section 1111(b)(7); Section 3113(b)(3)(D)

Recommendation: The OELA team communicated to the State that under Title III, it must continue to follow the English language proficiency progress of LEP students, over time, from the 2002-2003 year onwards. The State should show evidence of the relationship of the old ELP assessments to the new ELP assessment in terms of data and achievement, when such information becomes available.

Element 3.5 – Annual Measurable Achievement Objectives (AMAOs)

Finding: The majority of the LEAs in Idaho have not meet Annual Measurable Achievement Objective targets since No Child Left Behind began. The reasons provided by the SEA for the State's failure to meet AMAOs include using multiple ELP assessments, difficulties in identifying proficiency levels and determining cohorts, school district inconsistencies in achievement, differences in funding levels, inability to hire certified ESL teachers and limited resources. Due to the failure of the majority of LEAs to meet AMAO targets, the State did not ensure that LEAs issued parental notification letters.

Citation: Section 3122(a)(3)(A)(i-iii)

Further action required: The State must re-examine the reasons for failure of LEAs to meet AMAOs and take the necessary actions to help school districts with LEP students

meet these targets. This may require the State to develop and establish new AMAO targets that are better suited to the State's LEP student population.

Element 3.6 – Data Collection (Data collection system)

Finding: Idaho's current data collection system needs improvement due to the lack of a statewide student identification tracking mechanism. This makes accurate tracking of LEP students' ELP proficiency and progress, especially those who move from district to district, somewhat difficult. LEA inconsistencies and errors in coding LEP students has been an issue for the State as well.

Citation: Sections 3121 and 3122; Performance Indicator 2.1 of the Consolidated State Application

Further Action required: A more efficient, centralized data collection system must be established statewide to accurately track LEP students' ELP proficiency and progress. The State must assure that sub grantees understand and implement accurate coding of LEP students.

Title III, Part A State Level Activities; LEA Authorized and Required Activities; Immigrant Children and Youth

Element 4.1 – State Level Activities/Technical Assistance

Reviewed. The State has conducted a number of professional development workshops, academies and training for teachers and administrators regarding Title III and LEP students' educational needs. The State also encourages preservice and in-service teachers to avail themselves of bilingual/ESL courses at offered at IHEs. The Title III Director has done an exemplary job in providing technical assistance to the LEAs, but this resource is limited by time and manpower. The SEA maintains an Internet website to provide information on ESL/bilingual education, Title III programs, funding, etc. 5% of the annual Title III funding is reserved for this purpose.

Citation: Section 3111(b)(2).

Recommendation: It is recommended that the State increase the number of qualified employees who may assist the Title III Director with State level activities, especially for professional development and teacher training.

Element 4.2 – Required Sub grantee Activities

Reviewed. The State has ensured that sub grantees are implementing ELP assessment, curriculum and instruction to help LEP students achieve English Language Proficiency and academic achievement. The on-site monitoring team visited two LEAs: Nampa and Boise and was provided evidence of their compliance with these required activities.

Citation: Section 3115(c).

Element 4.3 – Authorized Sub grantee Activities

Reviewed. The on-site visit to Nampa and Boise school districts revealed that sub grantees are conducting authorized activities, such as parental outreach, family literacy services, and curriculum development for LEP students, refugee resettlement services, newcomer centers and community participation programs.

Citation: Section 3115(d).

Commendation: The Boise school district has performed exceptionally well in providing additional services to LEP students, parents and refugees.

Element 4.4 – Activities by Agencies experiencing substantial increases in immigrant children and youth

Reviewed. Some school districts in the State have experienced a large increase in immigrant children and youth, especially Boise, Meridian and Twin Falls. This has resulted in increased need for Title III funding to accommodate LEP students' educational needs. The State reserved 12% of its Title III funding for these students under section 3114(d). On average, districts that have had a substantial increase in immigrant children and youth received \$750 from the State under Section 3114(d).

Citation: Section 3114(d)(1).

Title III, Part A State Review of Local Plans

Element 5.1 – State Review of Local Plans

Reviewed. The State utilizes an electronic online system for LEA applications for Title III funding, review, and approval. LEA checklist ensures that required information is provided. LEAs may update their original application online without need to submit a new application to the State.

Citation: Section 3116(a).

Commendation: The State's computerized system for LEA local plans and applications is efficient and practical.

Element 5.2 – Private School Participation

Reviewed. The State has informed the LEAs concerning Title III participation procedures. However, Idaho's private schools have chosen not participate in Title III programs.

Citation: Sections 9501-9506

Element 5.3 – Teacher English Fluency

Reviewed. The State determines teacher English fluency through teacher licensure requirements and university coursework that ensures the teacher is fluent in oral and written English communication. There is no other assessment being implemented to determine such teacher English fluency.

Citation: Section 3116(c).

Recommendation: While not required by Title III or No Child Left Behind, it is recommended that the State implement a test or another assessment to determine teacher English fluency in oral and written communication.

Title III, Part A State Monitoring of Sub grantees

Element 6.1 – State Monitoring of Sub grantees

Finding: The on-site visit revealed that the State has not conducted formal reviews of LEAs for compliance with Title III. This was explained because of a shortage of staff manpower and time to monitor sub grantees as required by Title III.

Citation: Section 3113 and 34 CFR 80.40

Further action required: The State must establish a policy and procedures for conducting formal monitoring of sub grantees to ensure compliance with Title III requirements.

Element 6.2 – Consortia

Reviewed. Small school districts with fewer than 10,000 LEP students have formed four consortia throughout the state. These consortia appear to be serving LEP students as required under Title III.

Citation: Section 3114(b).

Title III, Part A Parental Notification

Element 7.1– Parental Notification

Finding: The majority of LEAs in Idaho has failed to meet target AMAOs. School districts that failed to meet AMAOs have not yet sent parental notification letters.

Citation: Sections 3302 (b)

Further action required: The State must ensure that LEAs notify parents in writing, in their native language, to the extent possible, not later than 30 days after the school district fails to meet AMAOs.